

In re:
Samuel Delacruz
Samuel Delacruz
Debtors

Case No. 23-11283-pmm
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0313-4
Date Rcvd: Aug 16, 2023

User: admin
Form ID: pdf900

Page 1 of 2
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol **Definition**

+++ Addresses marked '+++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(e).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 18, 2023:

Recip ID	Recipient Name and Address
db	+++ Samuel Delacruz, 1070 Rick Road, Reading, PA 19605-9300
db	+++ Samuel Delacruz, MAILING ADDRESS, 905 N. 9th Street, Reading, PA 19604-2309

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14792226	Email/Text: M74banko@mercedes-benz.com	Aug 16 2023 23:33:00	Mercedes-Benz Financial Services USA LLC, c/o BK Servicing LLC, PO Box 131265, Roseville, MN 55113-0011

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 18, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 16, 2023 at the address(es) listed below:

Name	Email Address
BONNIE B. FINKEL	finkeltrustee@comcast.net NJ69@ecfbis.com;Finkeltrustee@comcast.net
DENISE ELIZABETH CARLON	on behalf of Creditor BANK OF AMERICA N.A. bkgroup@kmlawgroup.com
LARRY W. MILLER, JR.	

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on behalf of Debtor Samuel Delacruz lmiller@millerlawgroup.net sjameson@millerlawgroup.net

MARK A. CRONIN

on behalf of Creditor MFA Financial Inc. bkgroup@kmlawgroup.com

MICHAEL PATRICK FARRINGTON

on behalf of Creditor BANK OF AMERICA N.A. mfarrington@kmlawgroup.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 6

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Samuel Delacruz,

: Chapter 7

:

:

Debtor.

:

Bky. No. 23-11283 (PMM)

ORDER SETTING HEARING WITH REGARD TO REAFFIRMATION AGREEMENT

AND NOW, WHEREAS, a reaffirmation agreement of the kind specified in 11 U.S.C. §524(c) between the Debtor and Mercedes-Benz Financial Services USA, LLC has been filed with the court (doc. #33);

AND, 11 U.S.C. §524(m) provides that a reaffirmation agreement shall be presumed to be an undue hardship on the Debtor if the Debtor's monthly income less the Debtor's monthly expenses as shown on the statement in support of the reaffirmation agreement required under 11 U.S.C. §524(k)(6)(A) is less than the scheduled payments on the reaffirmed debt;

AND, based on the Debtor's monthly income and monthly expenses as shown on the statement in support of the reaffirmation agreement required under 11 U.S.C. §524(k)(6)(A), as well as the income stated on Schedule I and expenses stated on Schedule J, the Debtor appears to have insufficient income to pay the scheduled payments on the reaffirmed debt,

It is therefore ORDERED that:

1. There is a presumption that the reaffirmation agreement would impose an undue hardship on the Debtor. See 11 U.S.C. §524(m)(1).
2. Pursuant to §524(m)(1), a hearing shall be held on **Tuesday, September 5, 2023 at 11:00 a.m. in the United States Bankruptcy Court, Gateway Building, Fourth Floor Courtroom, 201 Penn St., Reading, Pennsylvania, 19601**.to determine whether the reaffirmation agreement will be disapproved ("the §524(m)(1) Hearing").
3. Pending the conclusion of the §524(m)(1) Hearing, the discharge order under 11 U.S.C. §727(a) shall not be entered. See Fed. R. Bankr. P. 4004(c)(1)(K).

Date: 8/15/23



PATRICIA M. MATER
U.S. BANKRUPTCY JUDGE